

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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OREN PETERS,

Plaintiff,

v.

CALIFORNIA SOCIALWORKERS OF  
SAN MATEO,

Defendant.

Case No. 3:21-cv-00388-MMD-CLB

ORDER

*Pro se* Plaintiff Oren Peters filed a civil rights complaint under 42 U.S.C. § 1983 but Peters did not pay the \$402.00 filing fee nor file an application to proceed *in forma pauperis*. (ECF No. 1-1.) Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Carla L. Baldwin (ECF No. 4), recommending that this action be dismissed without prejudice for failure to pay the filing fee or file an application to proceed *in forma pauperis*. Peters had until March 21, 2022, to file an objection. To date, no objection to the R&R has been filed. For this reason, and as explained below, the Court adopts Judge Baldwin’s R&R in full.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party fails to object to a magistrate judge’s recommendation, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original); Fed. R. Civ. P. 72, Advisory Committee Notes (1983) (providing that the Court “need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”).

1 Because there is no objection, the Court need not conduct *de novo* review, and is  
2 satisfied Judge Baldwin did not clearly err. Here, Judge Baldwin recommends this action  
3 be dismissed because Peters has not paid the filing fee nor filed an application to proceed  
4 *in forma pauperis*. (ECF No. 4.) The Court agrees with Judge Baldwin. Having reviewed  
5 the R&R and the record in this case, the Court will adopt the R&R in full.

6 It is therefore ordered that Judge Carla L. Baldwin's Report and Recommendation  
7 (ECF No. 4) is accepted and adopted in full.

8 It is further ordered that this action is dismissed without prejudice for failure to pay  
9 the filing fee or file an application to proceed *in forma pauperis*.

10 The Clerk of Court is directed close this case.

11 DATED THIS 30<sup>th</sup> Day of March 2022.

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15 MIRANDA M. DU  
16 CHIEF UNITED STATES DISTRICT JUDGE  
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